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8 Attorney for:
9 MIGUEL MAGANA MARTINEZ

10 UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 MIGUEL MAGANA MARTINEZ,

Defendants.

Case No. 5:23-MJ-00021 CDB

STIPULATION AND ORDER TO
CONTINUE ARRAIGNMENT AND PLEA
OR PRELIMINARY HEARING

16 TO: THE CLERK OF THE UNITED STATES DISTRICT COURT, HONORABLE BARBARA
17 MCAULIFFE AND JOSEPH BARTON, ASSISTANT UNITED STATES ATTORNEY:

18 COMES NOW Defendant, MIGUEL MAGANA MARTINEZ, through his attorney of
19 record, DAVID A. TORRES, hereby requests that the Arraignment & Plea re: Indictment or
20 Preliminary Hearing currently set for Friday, September 22, 2023, be continued to Monday,
21 September 25, 2023.

22 Counsel for Mr. Magana Martinez is scheduled to attend the swearing-in of his son-in-
23 law, Brandon Stallings as California State Bar President on Friday, September 22, 2023, in Los
24 Angeles, California. Counsel met with Mr. Magana Martinez today, September 20, 2023, via
25 Zoom, Mr. Magana Martinez has no objection to the continuance.

26 The parties now agree to continue the preliminary hearing until September 25, 2023. The
27 parties agree that good cause exists for the extension because the extension is required to allow
28 the defense reasonable time for preparation and to ensure continuity of counsel. The parties also

1 agree that the interests of justice served by granting this continuance outweigh the best interests
2 of the public and the defendant in a speedy trial. Finally, the parties agree that the period from
3 September 22, 2023, through September 25, 2023, should be excluded. Fed. R. Crim. P. 5.1(d);
4 18 U.S.C. §3161(h)(7)(A) and (h)(7)(B)(iv).

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IT IS SO STIPULATED.

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7 DATED: September 20, 2023

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Respectfully Submitted,

/s/ David A Torres

DAVID A. TORRES

Attorney for Defendant

Miguel Magana Martinez

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/s/Joseph Barton

JOSEPH BARTON

Assistant U.S. Attorney

ORDER

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Dated: September 20, 2023

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE